

Vermont Fair Housing News

A Publication of the Vermont Human Rights Commission and the Fair Housing Project of CVOEO

135 State Street, Drawer 33 • Montpelier, Vermont 05633-6301

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FAIR HOUSING AND LIMITED ENGLISH PROFICIENCY

"¡Mi vecino está molestando me, diciendo que soy ilegal, que tengo que regresar a México. ¡No soy de México! ¡Ayúdeme! ¡Quisiera que él me dejara en paz!.....!"

What would you (as a housing provider) do if you had a tenant who came up to you one day made this statement (above) to you? Would you be able to understand what the tenant was saying? If yes, what would your response be? If no, how would you make sure that you understood what your tenant was saying to you?

Working with Limited English Proficient (LEP)² tenants can present a range of challenges for housing providers, none insurmountable, related to communicating with LEP tenants (utilizing interpreter services, translating vital documents) or addressing complaints about harassment based on national origin.³ Executive Order 13166, signed by President Clinton on August 11, 2000, was created to "...improve access to federally conducted and federally assisted programs and activities for persons who, as a result of their national origin, are limited in their English proficiency (LEP)." The impetus behind this executive order was to clarify enforcement of the Civil Rights Act of 1964 by clarifying the prohibitions against national origin discrimination. In essence, failing to provide interpreter services or failing to translate vital documents for LEP persons may be interpreted as discrimination on the basis of national origin.

While Executive Order 13166 pertains only to recipients of federal financial assistance,⁴ Vermont's Fair Housing and Public Accommodations Act also includes national origin as a protected category. Thus, housing providers who do not receive any form of federal financial assistance may still be subject to the same type of prohibitions against discrimination under state law when working with LEP tenants.⁵

Shifting Demographics

Vermont is rapidly diversifying and the chances of working with Limited English Proficient (LEP) tenants will continue to increase over time. Some housing providers already work with a high number of LEP tenants, many of whom are refugees who have been resettled in Vermont. In addition, immigrants who speak a variety of languages continue to arrive in Vermont.

According to the 2000 U.S. Census, Vermonters over the age of 5 who speak a language other than English constitute about 5.9% of the total state population (34,000). Just under one third of that population speaks English less than "very well" (9,300). The counties with the highest percentages of people who speak a language other than English at home are:

Essex county:	10.1%
Orleans county:	9.8%
Chittenden county:	8.0%
Franklin county:	6.5%
Washington county:	6.1%
Addison county:	5.1%
Lamoille county:	4.8%
Windham county:	4.7%

In Essex, Orleans, and Franklin counties French is the language most likely to be spoken in addition to English. However, in Chittenden and Washington counties, where most refugees have been resettled, languages spoken include Serbo-Croatian (Bosnian), Vietnamese, French (West African refugees), Mai-Mai (Somali Bantu refugees), and Russian. In addition, Spanish speakers make up 1.0% of the state population. Overall, in the state of Vermont, 25% of Indo-European language speakers and 50% of Asian language speakers indicated in the 2000 census that they speak English less than "very well."

Provision of interpreter services and translation of written materials

While the numbers of LEP persons in Vermont is not large as in other states, it is important for housing providers to be aware of the presence of LEP populations so as to be better positioned to address the needs of those populations. Specifically, housing providers should be aware that they may need to provide interpreter services and/or translate vital documents. In addition, LEP tenants should be informed in their language that they have the right to ask for an interpreter or for documents to be translated.⁶

When are interpreter services required?

In determining whether or not interpreter services are required, housing providers should assess the nature and importance (protection of legal rights vs. voluntary activities) of the program, activity, or service to people's lives, and assess the conse-

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quences of denying or delaying information, access to programs and activities, or services. For example, if a housing provider handles Section 8 applications but has no way to inform LEP tenants of the opportunity then the LEP tenant or prospective tenant is in effect being denied a benefit otherwise available to others.

Who pays for the interpreter or translation services?

In the housing context, when important information about programs, services, or procedures is provided, the housing provider may be required to pay for interpreter services (e.g., when providing information about the Section 8 program) or for translating documents (e.g., for vital documents such as eviction notices; see below).⁷ In other instances (e.g., during a recreational activity for tenants), the housing provider is not obligated to provide interpreter services but the tenant may bring a family member or friend to serve as interpreter.

How do you know if someone needs an interpreter?

In many instances you may work with a client who speaks enough English to communicate at a very basic level. However, that level of English language proficiency may not be sufficient for the client to receive and understand information about important services, benefits, and/or opportunities your office has to offer. Therefore it is important that you assess the English language proficiency of your client to determine whether an interpreter is necessary, even if the client does not request an interpreter.

Here are some sample questions you can ask to help assess a client's English language proficiency. Keep in mind that generally, yes/no questions are NOT helpful unless they are followed by a clarification question that requires a more in depth answer. What, where, when, and who questions are much more effective in assessing language proficiency because they require a person to describe people, places, or events, or to provide a narration (tell what happened). The following questions are adapted from a list provided to judges for assessing language capacity of LEP participants in courtroom proceedings.

1. Please tell me your name and address.
2. Please tell me where you were born and where you grew up.
3. Did you study English in school? If so, for how long?
4. Do you speak English at home with family members? If so, how often?
5. Why did you come to our office today?
6. What kind of work do you do?
7. Please tell me about your family.
8. Please tell me a little bit about how comfortable you feel speaking and understanding English.

If someone has difficulty answering these questions you should seriously consider getting an interpreter. If the person says he/she does not need one but you feel the information, service, and/or benefit is really important and you want to make sure the person understands what is available, you may want to get an interpreter anyway. Keep in mind that in some contexts (e.g., a courtroom) the language can be very technical and specific to a particular professional arena. In a housing services setting the language might not be as complicated. Nonetheless, you and your staff should keep in mind that

words and terms can have very specific meanings in other cultures; if someone appears to have difficulty with English, simpler language is always more helpful even when you are working with an interpreter.

Who can serve as interpreter?

When a housing provider is required to provide interpreter services it should contract with an outside interpreter service that has trained interpreters. Remember, being bi-lingual is not a measure of a person's ability to work as an interpreter. Interpreters should have training in interpreter skills, should have proficiency in, and have the ability to communicate information accurately in both languages, should have knowledge of specialized terms, and should understand his/her role as interpreter. In Vermont, because of the limited LEP population, housing providers would not be required to hire bilingual staff or staff interpreters. If interpreters are not available in person, housing providers can utilize telephonic interpreter services if necessary.⁸ As mentioned above, if the housing provider is not required to provide interpreter services, a family member or friend of the tenant or prospective tenant may serve as interpreter; however, caution should be exercised regarding the appropriateness of a family member or friend serving as inter-

preter in terms of the sensitivity or importance of information and confidentiality.

What documents should be translated? Vital written materials such as consent and complaint forms, intake forms with potential for important consequences, written notices of rights, denial, loss, decreases in benefits or services or hearings, notices of eviction, notices advising of free language assistance, leases and tenants rules, and/or applications to participate in programs should be translated or orally interpreted. If document is too long, housing providers can offer to provide an oral translation of information in the document.

Development and implementation of effective LEP policies and procedures (for large housing providers)

The following are examples of components of an effective language assistance program for agencies that serve LEP popu-

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- Get on the mailing list
- Receive the Vermont Fair Housing News by e-mail
- Receive the Vermont Fair Housing News in an alternate format
- Submit ideas for articles
- Give us feedback

You may contact us at:

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Montpelier, VT 05633-6301

Voice telephone:
802-828-2480
or toll-free 800-416-2010

TTY: 802-828-1493
or toll-free 877-294-9200

E-mail: sam.abel@state.vt.us

lations in Vermont. This list incorporates a variety of options and methods for providing meaningful access to LEP persons.

- Create and disseminate a formal written language assistance policy.
- Identify and assess the languages that are likely to be encountered and estimate the number of LEP persons that are eligible for services and that are likely to be affected by its program through a review of census and client utilization data and data from the school systems and/or community agencies and organizations.
- Post multi-lingual signs in lobbies and in other waiting areas informing applicants and clients of their right to free interpreter services and inviting them to identify themselves as persons needing language assistance.
- Use "I speak" cards (intake workers and other client contact personnel) so that clients can identify their primary language, available on the web at PERLINK "<http://www.lep.gov/IspeakCards2004.pdf>" www.lep.gov/IspeakCards2004.pdf.
- Require intake workers to note the language of the LEP person in his/her records so that all staff can identify the language assistance needs of the client.
- Establish contracts with interpreter services (both in-person and telephonic) that can provide competent interpreters in a wide variety of languages, in a timely manner.
- Translate applications forms, instructional, informational and other key documents into appropriate languages (as dictated by your assessment).
- Provide oral interpreter assistance with documents for those persons whose language does not exist in written form or for those persons who are not literate in their primary language.
- Develop procedures for effective telephone communication between staff and LEP persons, including instructions for English-speaking employees to obtain assistance from interpreters or telephonic interpreter services when initiating or receiving calls from LEP persons.
- Provide notice to and training for all staff, particularly client contact/intake staff, with respect to your agency's obligation to provide language assistance to LEP persons, and on the language assistance policies and procedures to be followed in securing language assistance in a timely manner.
- Insert notices, in appropriate languages, about the right of LEP persons to free interpreters and other language assistance, in brochures, pamphlets, manuals, and other materials disseminated to the public and to staff.
- Adopt a procedure for the resolution of complaints regarding the provision of language assistance and for notifying clients of their rights to, and how to file a complaint about the provision of language assistance.
- Appoint a senior level employee to coordinate the language assistance program and to ensure regular monitoring of the program.

Resources

For additional guidance, including federal guidelines offered by various federal agencies, go to <http://www.lep.gov>. This website also offers a good self-assessment and planning tool. In addition, the HUD guidance for recipients of federal financial assistance can be found at <http://www.hud.gov/offices/theo/library/lepFRguidance1.pdf>. Workshops for housing providers about legal issues, LEP policy development,

working with interpreters, cultural competency issues, and LEP resources in the state of Vermont are provided by the Human Rights Commission and the Interpreter Task Force (which can be contacted through the Human Rights Commission). For questions about any of the issues raised in this article, contact the Human Rights Commission at 800-416-2010.

Basic checklist:

- **Do you have an assessment/understanding of the language needs of the populations you serve?**
- **Do you have a comprehensive written policy on language access?**
- **Do you provide staff training about the policy and the use and work with interpreters?**
- **Do you provide notice to LEP persons that they have a right to interpreter services and that such services are available?**
- **Do you have a means for monitoring your language assistance program?**

¹ "My neighbor is harassing me! He said that I'm an illegal alien and that I should go back to Mexico! I'm not from Mexico! Help me! I want him to leave me alone . . ."

² LEP is defined by the U.S. Department of Justice as "persons who have a limited ability to read, write, speak, or understand English."

³ While harassment is an important issue, the focus of this article will be limited to the issue of providing interpreter services and translated documents.

⁴ Federal financial assistance is defined by HUD as "including grants, training, use of equipment, donations of surplus property, and other assistance. Recipients of HUD assistance include, for example: state and local governments; public housing authorities; assisted housing providers; profit and nonprofit organization; and other entities receiving funds directly or indirectly from HUD. . . . Coverage extends to a recipient's entire program or activity. . . . even if only one part of the recipient receives the federal assistance."

⁵ There is no existing Vermont case law on this point. However, under such circumstances, the Human Rights Commission would turn to other state and federal case law for guidance on interpreting Vermont law.

⁶ Interpretation is the oral transmission of information from one language to another. Translation is the written transmission of information from one language to another.

⁷ Small housing providers with limited resources are not expected to provide the same level of interpreter services and translated materials as large housing providers. Sharing resources (e.g., translated documents) is one way to ease the burden on smaller housing providers.

⁸ Three companies that provide telephonic interpreting services are: Language Line Services, 1-800-752-0093, ext. 196, www.language-line.com; Language Learning Enterprises, 1-888-464-8553, www.lle-inc.com (LLE has a contract with the State of Vermont); and Language Service Associates, 1-800-305-9673, www.lsaweb.com).



AROUND THE NATION

The following are summaries of some recent Fair Housing cases around the nation:

- A federal jury in California awarded \$22.5 million to a woman and her son who sued the city of Long Beach for refusing to let them build homes for Alzheimer's patients. Starting over a decade ago, the woman tried to open several residential care facilities in the city. The jury determined that that city had wrongfully filed charges against the woman for zoning code violations in an attempt to stop the homes from being built, even though the proposed facilities did not violate those regulations. In the course of the disputes, the woman herself suffered health problems and was forced into bankruptcy. Depending on the outcome of pending appeals, the city may also be liable for extensive legal fees.
- A Pennsylvania mobile home park owner has paid \$32,500 in a settlement of a fair housing complaint alleging discrimination based on familial status. Testers from the Fair Housing Council of Suburban Philadelphia found evidence that the park owner had refused to allow families with children into the park, while allowing prospective buyers who did not have children.
- In a voluntary Consent Order, the *San Antonio Express-News* and its owner, Hearst Newspaper Partnership, agreed to settle a complaint of publishing discriminatory housing advertisements with a payment of \$25,000 to the Department of Housing and Urban Development to sponsor a local Fair Housing conference. One representative advertisement that was published included the statement "White or Hispanic male preferred."
- A landlord in Kansas City, Missouri was found by a federal jury to have sexually harassed eleven female tenants over a period of more than ten years. The jury found that the landlord demanded sexual favors from the female tenants, and then evicted those who refused to comply with the demands. The jury awarded the plaintiffs a total of \$1,102,804 in compensatory and punitive damages. The case was prosecuted by the U.S. Department of Justice.
- A federal lawsuit filed by the Department of Justice alleged that Old Kent Bank and Old Kent Financial Corporation of Detroit engaged in racially discriminatory lending practices, by refusing to make business and residential loans in predominantly African-American neighborhoods, a practice known as redlining. The suit has been settled with an agreement that the bank will invest more than \$3.2 million in minority areas, and open three new branches in predominantly minority areas of the city, among other terms.
- A Chicago landlord agreed to a voluntary consent decree to end a federal lawsuit alleging that the landlord refused to rent to a family because of their three children. The decree includes a payment of \$30,000, and required the landlords to attend fair housing training, and be monitored for compliance in their advertising and rental practices by the Department of Justice.
- An Illinois developer and architect have paid \$170,344 to settle a lawsuit alleging that they designed and build new multi-family dwellings that failed to comply with HUD requirements that such dwellings contain units that are accessible to the disabled, and have accessible common areas. The payment will be used to retrofit the existing buildings to bring them into compliance with the HUD regulations, and also includes damages and attorney's fees. The builder will be required to correct plans for buildings under construction and future buildings to comply with the accessibility regulations.
- Six design and construction firms in Delaware and Maryland have agreed to pay up to \$810,000 to settle a lawsuit that their apartments and condominiums did not meet HUD guidelines for ground floor units that are accessible to people with disabilities. The agreement affects 289 ground floor apartments and 133 condominium units. The money will go to pay damages to those who were unable to access the housing, and to rebuild the units to make them more accessible.
- A suit was filed against the town of Janesville, Iowa for refusing to grant a zoning variance for an affordable housing development in 2000, because of fears that the development would bring an influx of Mexican and Bosnian residents, and other racial and ethnic minorities. Under a consent decree, the suit has been settled with a payment by the town of \$55,000, with \$45,000 in compensatory payments to the developers, and a \$10,000 federal civil penalty.
- The City of Baltimore Housing Authority has agreed to pay more than \$1,000,000 to resolve claims that it engaged in a pattern or practice of discrimination against people with disabilities. The suit alleged that the Housing Authority failed to make a sufficient number of accessible units available to people with disabilities, that it refused to allow non-elderly people with disabilities to rent units in developments intended for the disabled, that it failed to make common areas and office areas accessible, and that it failed to make reasonable accommodations for people with disabilities.
- The Justice Department filed suit against a Glenview, Illinois condominium development that had restricted people with wheelchairs to using the building's service entrance, rather than making the main entryway wheelchair accessible. The suit was settled with terms that included a payment of \$80,000, and a change in the discriminatory policy.
- A federal district judge has issued a preliminary injunction prohibiting a Florida apartment complex from applying stricter occupancy limits for children than for adults. The complaint alleges that the apartment complex allows two adults to occupy one bedroom, but only allows an occupancy of one child per bedroom. The order also requires the owners of the complex to allow the affected applicants to apply for an apartment.
- A Bakersfield, California apartment complex has agreed to pay \$850,000 to settle a fair housing suit claiming discrimination against families with children. The suit alleged that the complex charged an additional \$25 deposit to families with children above the regular security deposit, had adults-only laundry facilities and swimming pools, and published statements indicating discrimination based on families with children.
- Union Dominion Realty Trust, a large apartment-complex owner, agreed to settle claims that it discriminated in maintenance practices in its apartments for a payment of \$62,500 in damages and attorney's fees. The suit claimed that the owners failed to maintain complexes with primarily African-American residents, while the predominantly white properties were well-maintained.
- A New York City cooperative housing development has agreed to pay \$130,000 to resolve claims that it discriminated against a brother and sister by refusing to allow them to purchase a unit because of their race, national origin and religion. The brother and sister, who are Chinese-American, claimed that their application to purchase a unit was denied, and that subsequently a white, Jewish man with inferior financial qualifications was approved to purchase a unit. The development agreed not to discriminate in the future, and to post equal opportunity notices in its offices and application forms.

VERMONT FAIR HOUSING DIRECTORY

Below is a list of Vermont agencies and organizations that address Fair Housing issues, along with a brief description of what they do.

STATE AGENCIES

VERMONT HUMAN RIGHTS COMMISSION

Robert Appel, Executive Director
135 State Street, Drawer 33
Montpelier, VT 05633-6301
800-416-2010/802-828-2480 (voice)
877-294-9200/802-828-1493 (TTY)
www.hrc.state.vt.us
human.rights@state.vt.us

The Human Rights Commission investigates complaints of discrimination in housing, public accommodations, and employment by agencies of the State of Vermont.

VERMONT DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

John S. Hall, Commissioner
National Life Building, 6th Floor
Drawer 20
Montpelier, VT 05620
800-622-4553/802-828-3211
www.dhca.state.vt.us

The Department of Housing and Community Affairs monitors housing in Vermont, and administers programs to develop housing opportunities through the state. The Department, through its grants programs, works to affirmatively foster fair housing.

FEDERAL AGENCIES

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—OFFICE OF FAIR HOUSING AND EQUAL OPPORTUNITY

Boston Regional Office
Thomas P. O'Neill, Jr. Federal Building
10 Causeway St., Room 321
Boston, MA 02222-1092
800-827-5005/617-994-8300 (voice)
617-565-5453 (TTY)
www.hud.gov/offices/fheo/index.cfm

HUD enforces the federal Fair Housing Act, and provides enforcement and education grants to local fair housing agencies.

U.S. DEPARTMENT OF AGRICULTURE— RURAL DEVELOPMENT PROGRAM

City Center, 3rd Floor
89 Main St.
Montpelier, VT 05602
802-828-6080 (voice)
802-223-6365 (TTY)
www.rurdev.usda.gov/vt/

USDA Rural Development has several programs to assist with housing in rural areas, including loan programs for low-income home buyers and owners.

PRIVATE AGENCIES AND ORGANIZATIONS

FAIR HOUSING PROJECT OF THE CHAMPLAIN VALLEY OFFICE OF ECONOMIC OPPORTUNITY

Robert Meehan, Director
294 North Winooski Ave.
Burlington, VT 05401
800-287-7971/802-651-0551 ext. 202
www.cvoeo.org/vti/fair.htm
fhp@cvoeo.org

The Fair Housing Project receives HUD grants to conduct education and outreach for Fair Housing issues in Vermont. The Project also assists people with Fair Housing complaints, and has conducted testing to monitor compliance with the Fair Housing Act.

VERMONT CENTER FOR INDEPENDENT LIVING

Deborah Lisi-Baker, Director
11 East State Street
Montpelier, VT 05602
800-639-1522/802-229-0501 (voice and TTY)
www.vcil.org
vcil@vcil.org

VCIL is a support and advocacy agency for people with disabilities. VCIL works on Fair Housing issues of concern to people with disabilities, including advocacy, support, and accessibility.

VERMONT LEGAL AID AND DISABILITY LAW PROJECT

7 Court Street
Montpelier, VT 05601
800-889-2047
www.vtlegalaid.org

Vermont Legal Aid provides legal services to low-income Vermonters, including advocacy related to Fair Housing cases. The Disability Law Project provides legal services to Vermonters with disabilities.

VERMONT AFFORDABLE HOUSING COALITION

Erhard Mahnke, Coordinator
294 North Winooski Ave., Suite 109
Burlington, VT 05401
802-660-4179
erhardm@vtaffordablehousing.org

The Vermont Affordable Housing Coalition works to promote affordable housing in Vermont, and to remove barriers to accessing affordable housing throughout the state.

CURRENT HUMAN RIGHTS COMMISSION CASES

The following is a listing of some cases that have recently come before the Vermont Human Rights Commission. A Human Rights Commission case becomes available to the public under two circumstances: either the Commission has found evidence of illegal discrimination, or the Commission has reached a settlement with the parties before the investigation has determined whether or not illegal discrimination occurred.

Linda Anderson v. Vermont State Housing Authority

Ms. Anderson claimed that her neighbors had harassed her by blocking the entryway to her home, making it difficult for her to get into her apartment due to her having a mobility impairment. She further claimed that when she complained to the Vermont State Housing Authority, her landlord, that the neighbors escalated their harassment, including property destruction and threats against her. The Commission determined that the Vermont State Housing Authority did not respond in a timely manner to Ms. Anderson's disability-based complaints, and failed to take appropriate steps to stop the harassment. The case is currently in settlement negotiations.

Lisbeth Arbour v. Anna St. Clair

Christopher Tanner v. Anna St. Clair

The Commission determined in two separate cases that Ms. St. Clair, a landlord in Brattleboro, unlawfully discriminated against her tenants. The Commission determined that Ms. St. Clair made discriminatory statements based on sexual orientation, disability and receipt of public assistance, and that she attempted to evict her tenants on those bases. The Commission also determined that Ms. St. Clair took steps calculated to worsen the disability condition of one of her tenants. The cases are currently in settlement negotiations.

Deborah Cornick Kelly v. Sisters and Brothers Investment Group

Ms. Cornick Kelly filed a complaint that her neighbor made discriminatory and threatening remarks based on her race and color, and that on several occasions he took actions aimed to threaten or intimidate her. The Commission determined that her landlord, Sisters and Brothers Investment Group, was on notice of the harassment, and did not take sufficient steps to stop the harassment or to ensure the removal of the neighbor or the safety of the tenant. The case is currently in settlement negotiation.

Mary Daniels v. Jean Wickart

In this case, the Commission determined that Ms. Wickart, a landlord, refused to rent an upstairs apartment to Ms. Daniels and her family because Ms. Daniels' son is autistic, and was fearful that he would fall and hurt himself. The Commission

also determined that Ms. Wickart made a discriminatory statement regarding renting the second floor apartment to Ms. Daniels and her family. The case is currently in settlement negotiations.

Cathie Evans v. Herb Mitchell

In this case, Ms. Evans filed a complaint that when she telephoned Mr. Mitchell to inquire about an apartment, Mr. Mitchell stated that he did not want to rent to a person with an infant child. The Commission determined that there were reasonable grounds to believe that Mr. Mitchell made this unlawful discouraging statement. The case is currently in settlement negotiations.

Annemarie Murray and Bruno Choiniere v. The Courtyard and The Courtyard Association

In this case, Ms. Murray and Mr. Choiniere filed a complaint that their landlords, The Courtyard, and The Courtyard's tenants association, failed to make a reasonable accommodation for Ms. Murray making it possible for her to attend weekly bingo games. The Commission determined that both the landlord and the Association had notice of Ms. Murray's request, and that they failed to respond to the request until several months later, and after the filing of a complaint. The case is currently in settlement negotiations.

James Parker v. Ronald Spivak

In this case, the Commission determined that there were reasonable grounds to believe that Mr. Spivak made discouraging statements to Mr. Parker based on his disability when Mr. Parker attempted to rent an apartment owned by Mr. Spivak. The case is currently in settlement negotiations.

Vanessa Faran v. COPS, Inc.

Ms. Faran filed a complaint that an employee of COPS, Inc., doing business as Montpelier Econolodge, sexually harassed her while she was living at the motel. The Motel denied the complaint. The parties agreed to settle the charge prior to the completion of the investigation, with a monetary payment to Ms. Faran and an agreement that COPS, Inc. develop and post a non-discrimination and anti-sexual-harassment policy for its employees.

Shelly Vincent v. Winooski Housing Authority

Ms. Vincent filed a charge that the Winooski Housing Authority refused her request for a reasonable accommodation to mark the closest parking space to her apartment as a designated handicapped parking space. The parties agreed to settle the case before the completion of the investigation, with an agreement that the Housing Authority would designate the requested parking space for Ms. Vincent.

ON-LINE RESOURCES FOR FAIR HOUSING

There are many on-line resources for information about Fair Housing issues. Here are some useful web sites that will provide you with information and instruction about Fair Housing and related issues. Please also see the Directory of Vermont Fair Housing Organizations in this issue of the Fair Housing News, which lists the web addresses for those agencies. There are also numerous web pages for state and local Fair Housing organizations and agencies. Just type "Fair Housing" into any search engine to locate these resources.

National Fair Housing Advocate On-Line — www.fairhousing.com

News, resources, cases, statutes and a lot more information about Fair Housing issues across the country.

National Fair Housing Alliance — www.nationalfairhousing.org

An organization devoted to promoting Fair Housing laws nationwide.

Fair Housing Law — www.fairhousinglaw.org

A multi-language site with information about Fair Housing law and enforcement resources.

National Association of Realtors Field Guide to Fair Housing

www.realtor.org/libweb.nsl/pages/fg705

A guide to Fair Housing specifically aimed toward realtors.

Vermont Department of Housing and Community Affairs Fair Housing Page

www.dhca.state.vt.us/Housing/fairhousing.htm

A discussion of Fair Housing as it applies to Vermont communities and municipalities.

Department of Housing and Urban Development Office of Fair Housing and Equal Opportunity — www.hud.gov/offices/theo/index.cfm

Connects to HUD resources about enforcement of federal Fair Housing laws.

Federal Fair Housing Act — www.usdoj.gov/crt/housing/title8.htm

The text of the federal Fair Housing Act.

Vermont Fair Housing and Public Accommodations Act

www.leg.state.vt.us/statutes/sections.cfm?Title=09&Chapter=139

The text of the Vermont Fair Housing and Public Accommodations Act.

FindLaw — www.findlaw.com

Findlaw is a general resource and search engine for legal issues, including civil rights issues, federal and state statutes and court cases.

Bazon Center for Mental Health Law — www.bazon.org/issues/housing/index.htm

Bazon has extensive resources and informational documents regarding aspects of mental health law, including extensive information about reasonable accommodations and service animals.

ORGANIZATION PROFILE—

THE VERMONT CENTER FOR INDEPENDENT LIVING

The Vermont Center for Independent Living (VCIL), a non-profit organization directed and staffed by individuals with disabilities, works to promote the dignity, independence and civil rights of Vermonters with disabilities. Like other independent living centers across the country, VCIL is committed to cross-disability services, the promotion of active citizenship and working with others to create services that support self-determination and full participation in community life. Founded in 1979, VCIL is the only center for independent living (CIL) in Vermont and was the first organization in the state with a majority of board and staff with disabilities. At the close of 2003, all members of the board and 95% of VCIL staff were individuals having personal experience with disabilities.

The modern movement for disability rights began in Berkeley, California in the early sixties. The movement founder, Ed Roberts, was disabled by the polio virus in the mid-fifties. Within months, he underwent a change from being an active youngster to someone unable to move more than his head and needing oxygen to breathe. In the hospital, he changed even further: from someone who tried to starve himself to death to someone who chose to live, to leave the hospital, and to build a life worth living. Ed Roberts fought his own belief that life with a disability was not worth living. Having won that close personal battle, he went on to challenge others. By changing himself, he changed the world and started a new civil rights movement.

It began when Ed Roberts decided he wanted to go to college. The Berkeley campus was not accessible, and the only place someone living with an iron lung could stay was the school infirmary. Before long, he transformed it into a one-person dormitory. Soon, word of his experiment got out, and other students with disabilities began applying for and being accepted to Berkeley. This group of students joined together to form a group called the Rolling Quads. Over the next several years, they worked together to make the campus and the city around them more accessible. As the Rolling Quads attracted other students with disabilities to Berkeley, they began a search for housing and employment opportunities beyond the college and the campus. Together, they formed a new community in center in Berkeley, run by and for people with disabilities. Staff and volunteers provided information, and peer support, and community advocacy services to local residents. The new center turned Berkeley into a national model of accessibility and the home of the first Independent Living Center in this country.

The national movement came to Vermont in 1979, when representatives from several regional cross-disability groups organized to create what is now the Vermont Center for Independent Living (VCIL). Project Outreach, a survey conducted in 1978, indicated that hundreds of Vermonters, living with varying disabilities throughout the State shared certain common desires. They wanted better information, one-to-one peer support in dealing with disability issues, and the opportunity for small groups to meet to work together to make Vermont communities friendlier and more accessible to all people with disabilities. These results shaped VCIL's first programs and its application for federal funding. Since then, VCIL has grown from a local Montpelier-based program to a statewide organization with regional offices in Bennington, Brattleboro, Burlington and outreach workers in other parts of Vermont.

Consumer choice, autonomy and control define the Independent Living Movement. The independent living philosophy holds that individuals with disabilities have the right to live with dignity and with appropriate support in their own homes, fully participate in their communities, and to control and make decisions about their lives.

VCIL helps Vermonters with disabilities be more independent, through: Advocacy—Speaking out for available, affordable and accessible housing, personal attendants, homemaker services, health care, and em-

ployment, Changing how communities perceive themselves, helping them become places in which all people, including people with disabilities, are recognized as valuable citizens.

Information & Referral—Information on issues relating to living with a disability, including access to assistive devices, housing, benefit programs, and legal rights.

Peer Advocacy Counseling—Support and training in self-advocacy to Vermonters with disabilities and Deaf Vermonters, to achieve self-help goals and remain living independently.

Independent Living Services—Access to and funding for personal services and equipment that enable people with disabilities and Deaf individuals to live more independently in their own homes and communities.

Home & Community Access—Funding for home modifications - like ramps - to eligible Vermonters with disabilities, and technical assistance on home access and rights and obligations under the American with Disabilities Act (ADA).

VCIL has played a central role in promoting Fair Housing for people with disabilities in Vermont. All Vermonters have the right to equal opportunity in rental, sale and financing of housing under federal, state and local laws. If you have a disability and are otherwise qualified to participate in a program that receives Federal financial assistance (such as public housing, some privately-owned housing, or Section 8), you are further protected from discrimination in housing. Section 504 of the Rehabilitation Act of 1973 guarantees that agencies responsible for these programs must provide access and make reasonable accommodations so that you are able to enjoy the full benefits and privileges of the program. For more information, contact VCIL's Fair Housing Advocates by email to gailh@vcil.org or at 802-229-0501.

It is against the law for a landlord to refuse to allow a person with a disability to make reasonable modifications to an apartment, at the expense of the tenant, or to make reasonable accommodations in rules, practices, or services, when needed for the full enjoyment of the premises by a tenant with a disability. Contact our Home Access Program (joywert@vcil.org) for information for tenants and landlords about making apartments and homes accessible to people with disabilities.

One in five Vermonters has a disability, but most homes are not accessible. Disability crosses all lines of gender, age, and race. Anyone can become disabled - at birth, through traumatic injury, or as part of aging. Home Accessibility Program funding is available for Vermonters who have a disability. Grants are based on household income, and are limited to making bathrooms and the main entrance to the home accessible.

The need for accessible housing continues to increase. We receive approximately 10 - 12 new applications every month. There are currently more than 200 people on our waiting list representing a financial need of approximately \$2 million. Although VCIL receives more than \$400,000 per year from the State of Vermont and the Vermont Housing and Conservation Board, the list continues to grow each year. Please consider making a tax-deductible gift to the Vermont Center for Independent Living today.

VCIL's Benefits to Work Counselors can help you plan for employment and greater independence. You can learn how to take advantage of work incentives that can give you greater total monthly income or help you to pay for college. We can answer questions about the "Ticket to Work Program" and what it can and can't do for you. If you are working or thinking about going to work, talk to one of our Benefits to Work Counselors. He or she will explain how much you can work and still keep the benefits you need. The Social Security Administration is now making it easier for you to try out working

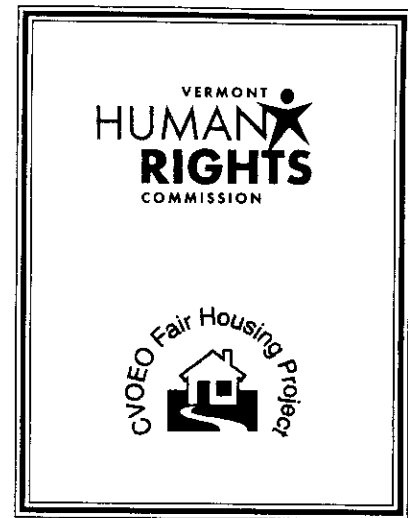
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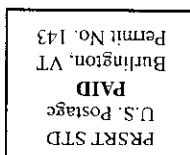
without jeopardizing your Social Security Disability Insurance (SSDI). People who receive Supplemental Security Income (SSI) can make more money than ever before and still keep Medicaid benefits. Students who receive SSI can earn up to \$1,370 per month and not lose any cash benefits.

Depending on your situation, there are a few different ways you can work and keep Medicaid. If you go to work, even one hour per month, you may qualify for Medicaid for Working People with Disabilities. Individuals with disabilities who are meeting expensive "spend-downs" may qualify for Medicaid if they work, without an expensive spend-down.

VCIL is committed to full accessibility and non-discrimination for all Vermonters with disabilities. Please contact the Center in the main office in Montpelier (800-639-1522, voice and tty, vcil@vcil.org) or the regional offices in Brattleboro, Bennington and Chittenden County for more information.



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